

Amendments to the Claims:

This listing of claims replaces all prior versions and listings of claims in the application:

Listing of Claims:

1-52. (Canceled)

53. (Previously presented) An isolated nucleic acid molecule comprising a nucleotide sequence encoding a polypeptide comprising the amino acid sequence of SEQ ID NO:23.

54. (Previously presented) An isolated nucleic acid molecule comprising:

- a) a nucleotide sequence encoding a polypeptide comprising the amino acid sequence of SEQ ID NO:22; and
- b) a nucleotide sequence encoding a polypeptide comprising the amino acid sequence of SEQ ID NO:23.

55. (Previously presented) An isolated nucleic acid molecule comprising a portion of the nucleotide sequence of SEQ ID NO:52, the portion comprising a nucleotide sequence encoding a polypeptide comprising the amino acid sequence of SEQ ID NO:23.

56. (Previously presented) An isolated nucleic acid molecule comprising a portion of the nucleotide sequence of SEQ ID NO:52, the portion comprising:

- a) a nucleotide sequence encoding a polypeptide comprising the amino acid sequence of SEQ ID NO:22; and
- b) a nucleotide sequence encoding a polypeptide comprising the amino acid sequence of SEQ ID NO:23.

57. (Currently amended) An isolated nucleic molecule comprising a nucleotide sequence encoding a polypeptide having an amino acid sequence that is at least 70% 85% identical to SEQ ID NO:23, wherein ~~the isolated nucleic acid molecule hybridizes to the portion of SEQ ID NO:52 encoding SEQ ID NO:23 at 57°C in 0.368 M Na⁺ and 50% formamide, and wherein the polypeptide is toxic to a nematode.~~

58. (Previously presented) The isolated nucleic acid molecule of claim 57 wherein the nucleic acid molecule is a nematode nucleic acid molecule.

59. (Previously presented) The isolated nucleic acid molecule of claim 57 wherein the nematode is *C. elegans*.

60. (Canceled)

61. (Previously presented) The isolated nucleic acid molecule of claim 57 wherein the polypeptide is at least 90% identical to SEQ ID NO:23.

62. (Previously presented) The isolated nucleic acid molecule of claim 57 wherein the polypeptide is at least 95% identical to SEQ ID NO:23.

63. (Previously presented) The isolated nucleic acid molecule of claim 57 wherein the polypeptide is at least 98% identical to SEQ ID NO:23.

64. (New) An isolated nucleic acid molecule encoding a fragment of a polypeptide consisting of the amino acid sequence of SEQ ID NO:23, wherein the fragment is toxic to a nematode.

65. (Previously presented) A method for producing a polypeptide, comprising:

- (a) providing a cell harboring the isolated nucleic acid molecule of claim 53 or claim 57 operatively linked to expression control elements; and
- (b) culturing the cell under conditions in which the polypeptide encoded by the nucleic acid molecule is expressed.

66. (Currently amended) A recombinant vector comprising the nucleic acid molecule of claim 53 or for claim 57.

67. (Currently amended) The recombinant vector of claim ~~67~~ 66 wherein the vector is a plant vector.

68. (Currently amended) A host cell containing the vector of claim ~~67~~ 66.

69. (Currently amended) The host cell of claim ~~69~~ 68 wherein the host cell is a plant cell.